

using peer-to-peer networks. It is not unusual for albums to show up on the Internet before they make it to the record stores. The music industry is losing \$4 billion a year to piracy, and that dollar figure is growing every day. Most alarming, there is an entire generation of young Americans who believe that downloading online music is acceptable, it is the norm, it is legal, like being your own personal DJ without ever having to buy a CD.

Piracy affects more than just the music industry. It affects that larger element of intellectual property. It includes the movie industry, it includes the software industry. Indeed, the numbers are staggering. According to a report released by the International Intellectual Property Alliance, U.S. copyright industries—and that includes music, movies, books, and software—contributed \$535 billion to the U.S. economy in 2001. They collectively employ over 4.7 million workers. They generate almost \$900 billion in foreign sales, making intellectual property one of our largest exports.

Other countries often do not respect our copyright laws. They allow mass copying of music and other works. For example, it is estimated that an astounding 92 percent of business software used in China is pirated. In my travels to Asia several months ago, I directly stressed the importance of protecting our copyright laws to the leaders of China and Taiwan and Korea, the countries I visited. Copyright pirating is costing our economy billions. As leaders, we must educate the public that illegally downloading music or copyrighted material is stealing, straight and simple. Most people would never steal a CD from Wal-Mart, but they do not think twice before burning a CD from illegally downloaded music. People forget that an artist's song is just like a baker's loaf of bread; it is their creation; it is their livelihood.

While the future of the music industry lies with the merging technology, the industry simply cannot survive if Internet piracy steals its value any more than a shop owner can survive having their inventory stolen from under him or her every week or a restaurant owner can afford in some way to serve meals for free.

Eventually, unabated piracy will dry up income. It drives away the creative spirit. It drives away artists. It destroys the enterprise of making recorded music. Fewer artists, less music. It is that simple. Less music on our airwaves, on the Internet, in the public square, any place you can think of where recorded music is played and enjoyed, including on your own Walkman when you jog or run. Piracy ends up hurting us all, music lovers and music creators alike.

I ask my colleagues to watch this issue closely. We can help educate the public about both the illegality of piracy and its effect on our economy and our creative culture. It is our responsibility to do so. And we can encourage

consumers to download music from legitimate online fee services. There are several sites that are up and running, and I encourage the industry to continue to work hard to improve their online products to meet consumer demand. There is no better time to reflect on the impact of American recorded music than during these holidays. When we hear Bing Crosby's "White Christmas" or Duke Ellington's "Jingle Bells" or Burl Ives's "Rudolph the Red Nosed Reindeer," we are hearing not just another American Christmas classic but a part of America's creative legacy, the recorded music industry, one of our greatest exports to the world.

UNANIMOUS CONSENT AGREEMENT—EXECUTIVE CALENDAR

Mr. FRIST. As in executive session, I ask unanimous consent that the nomination of Rhonda Keenum of Mississippi to be Assistant Secretary of Commerce and Director General of the United States and Foreign Commercial Service, received on Tuesday, December 9, 2003, be jointly referred to the Committee on Commerce, Science, and Transportation and the Committee on Banking, Housing, and Urban Affairs.

The PRESIDING OFFICER. Without objection, it is so ordered.

REMOVAL OF INJUNCTION OF SECRECY—TREATY DOCUMENTS NOS. 108-113 and 108-114

Mr. FRIST. As in executive session, I ask unanimous consent that the injunction of secrecy be removed from the following treaties transmitted to the Senate on December 9, 2003, at 3:18 p.m., by the President of the United States: Additional Protocol to Investment Treaty with Romania (Treaty Document No. 108-113), and Taxation Convention with Japan (Treaty Document No. 108-14).

I further ask that the treaties be considered as having been read the first time, that they be referred with accompanying papers to the Committee on Foreign Relations in order to be printed, and that the President's messages be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The messages of the President are as follows:

ADDITIONAL PROTOCOL TO INVESTMENT TREATY WITH ROMANIA—TREATY DOC. 108-13

To the Senate of the United States:

With a view to receiving the advice and consent of the Senate to ratification, I transmit herewith the Additional Protocol between the Government of the United States of America and the Government of Romania concerning the Reciprocal Encouragement and Protection of Investment of May 28, 1992, signed at Brussels on Sep-

tember 22, 2003. I transmit also, for the information of the Senate, the report of the Department of State with respect to this Additional Protocol.

My Administration expects to forward to the Senate shortly analogous Additional Protocols for Bulgaria, the Czech Republic, Estonia, Latvia, Lithuania, Poland, and the Slovak Republic. Each of these Additional Protocols is the result of an understanding the United States reached with the European Commission and six countries that will join the European Union (EU) on May 1, 2004 (the Czech Republic, Estonia, Latvia, Lithuania, Poland, and the Slovak Republic), as well as with Bulgaria and Romania, which are expected to join the EU in 2007.

The understanding is designed to preserve U.S. bilateral investment treaties (BITs) with each of these countries after their accession to the EU by establishing a framework acceptable to the European Commission for avoiding or remedying present and possible future incompatibilities between their BIT obligations and their future obligations of EU membership. It expresses the U.S. intent to amend the U.S. BITs, including the BIT with Romania, in order to eliminate incompatibilities between certain BIT obligations and EU law. It also establishes a framework for addressing any future incompatibilities that may arise as European Union authority in the area of investment expands in the future, and endorses the principle of protecting existing U.S. investments from any future EU measures that may restrict foreign investment in the EU.

The United States has long championed the benefits of an open investment climate, both at home and abroad. It is the policy of the United States to welcome market-driven foreign investment and to permit capital to flow freely to seek its highest return. This Additional Protocol preserves the U.S. BIT with Romania, with which the United States has an expanding relationship, and the protections it affords U.S. investors even after Romania joins the EU. Without it, the European Commission would likely require Romania to terminate its U.S. BIT upon accession because of existing and possible future incompatibilities between our current BIT and EU law.

I recommend that the Senate consider this Additional Protocol as soon as possible, and give its advice and consent to ratification at an early date.

GEORGE W. BUSH.

THE WHITE HOUSE, December 9, 2003.

TAXATION CONVENTION WITH JAPAN—TREATY DOC. 108-14

To the Senate of the United States:

I transmit herewith, for Senate advice and consent to ratification, the Convention between the Government of the United States of America and the Government of Japan for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with respect